



**Minutes of Regular Meeting, Board of Directors  
April 9, 2019**

The Board of Directors of the Porterville Irrigation District met this day in regular session at the District office located at 22086 Avenue 160, Porterville, California.

**CALL TO ORDER**

President Borba called the meeting to order at 9:02 a.m.

**ATTENDANCE**

**DIRECTORS PRESENT:** Borba, Gisler, Chambers, McCowan, Witzel

**DIRECTORS ABSENT:** None

**OTHERS PRESENT:** Sean P. Geivet, District Manager  
Jody A. Griswold-Bratcher, District Secretary  
Dave Dorrance, Sun World International  
Liz Ingraham  
Michael Knight, City of Porterville  
Bill Wallace  
Terry Schuler  
Allan Lombardi  
Kathy Briano  
Tim Allan, Sun Pacific  
Bill Morgan  
Jace Vanderham  
Kathleen Valenzuela

**AGENDA** – No changes or additions were made to the agenda.

**PUBLIC COMMENTS** – President Borba asked if there was any public comment.

District customer, Dave Dorrance representing Sun World International and Homer LLC, shared his enthusiasm for their current recharge & banking operations during this time of uncontrolled releases in our District.

Tim Allan, Bill Morgan and another guest entered the Board room at 9:03 a.m.

Liz Ingraham, inquired again about her water service and a District easement. The Manager noted that he has not been clear with the messages that she has left to date and still needs more information. She shared her phone number with Mr. Geivet to contact after the meeting.

**APPROVAL OF THE MINUTES**

M/S/U McCowan, Gisler to approve the Minutes of the Board of Directors Regular Meeting held March 12, 2019 and the Special Meeting held March 27, 2019 as presented.

Jace Vanderham entered the Board room at 9:08 a.m.

## **AUTHORIZATION TO PAY BILLS**

M/S/U Gisler, Witzel to authorize the Treasurer to pay all outstanding bills against the District as presented.

**MONTHLY REPORTS – Financial Reports:** Treasurer Griswold-Bratcher reviewed with the Board the February 2019 Balance Sheet, showing status of the banking accounts, and Income Statements for the same period. She noted that these reports are considered preliminary pending any additional year-end entries made as a result of the upcoming audit. BNY Mellon bank statement as of February 28, 2019 was also included in the meeting packet.

The Manager and Treasurer answered Director McCowan's question about Service Area 1 / 2 (SA1/2) receivables and how they are currently shown on the financials. The Treasurer also noted that only a handful of parcels opted to participate in the installment payment plan that was offered and there are a few that have not made any attempt to pay or get water service at this time.

M/S/U McCowan, Gisler to accept the preliminary financial reports as presented and to place the reports on file.

Kathy Briano and Kathleen Valenzuela entered the Board room at 9:16 a.m.

**Administration Report:** The Manager brought the Board and guests up to date on the need for additional staff at both Porterville and Terra Bella Irrigation District (PID & TBID respectively) offices. He stated the both essentially need about "half a person" to assist with the current and anticipated work load at each district. He recommended a plan to hire one full-time employee under TBID with the intention of sharing that new hire with PID under the existing Joint Administration Agreement in place since 2011. He believes that we will get a higher skilled and loyal staff member if we are able to offer a full-time position with benefits, rather than two part-time positions at each district independently. The Board gave the nod to move forward with this plan at this time.

**Operations/Water Report:** Manager Geivet shared that USBR has fluctuated some on their allocation figures resulting in some uncertainty in our Class 2 water supply at the moment, but he also feels somewhat optimistic that it will again be increased allowing us to continue recharge and banking efforts for a while longer. He then asked a series of questions for the Board to discuss and consider... Should we continue our current operations or should we set a date to shut recharge off for now? The Manager then segued to our new banking agreements and asked when does the Board recognize these

customers as officially becoming “bankers”? Is it at time of signing the agreement or at time of extraction of that banked water? He also asked the Board how they would like to handle future banking agreements as they are submitted to the District? Should they be approved by the Manager or as an agenda item for Board approval?

Discussions continued about banking, including 215 water and its flexibility to move to the white areas (areas outside the boundaries of existing irrigation districts with surface water contracts) as well as California Environmental Quality Act (CEQA) requirements. The Manager quickly explained that the CEQA process is required when you do something “new or outside of normal business”. Sinking or putting water in underground storage is not new to this area. However, extracting it to move outside the District is new and will be subject to follow through with CEQA guidelines.

Michael Knight departed the Board room at 09:57 a.m.

As a result of discussions above, the Board took action with the following motions:

M/S/U McCowan, Gisler to recognize bankers at time of execution of the banking agreement by the District; further noting that extraction cannot commence until all California Environmental Quality Act (CEQA) guidelines have been met.

M/S/U Chambers, Gisler to authorize the Manager to sign banking agreements that meet Manager, District legal counsel and District engineer approval.

M/S/U McCowan, Chambers to authorize the Manager to work with District legal counsel for proper wording amendment to stipulate the Facility Report Exhibit of the banking agreements must be stamped by an engineer.

Water/Operations discussions continued with the Board directing staff to notify customers that recharge operations would cease Monday, April 15<sup>th</sup> unless USBR increases Class 2 allocations. In the event customers make their own arrangements to transfer water in from other districts for recharge or banking, in which case, the Manager would be glad to assist with the official paperwork for transfers to be approved by USBR.

**Status Report of Authorities: DCTRA, TRA, VAWC & FWA:** Nothing new to report.

**Eastern Tule Groundwater Sustainability Agency (ETGSA):** Mr. Geivet shared that Executive Director McAteer has commenced a search for an office manager to handle multiple functions in the office to include but not limited to the management and coordination of office operations, human resources, employee payroll and benefits, accounting, and agency outreach.

He also brought the Board and guests up to date on the topic of ETGSA boundary issues and asked the Board to consider adopting a resolution supporting a true-up of ETGSA boundaries to coincide with PID boundaries.

Upon motion by Director McCowan, seconded by Director Gisler, the following Resolution was passed and adopted:

**RESOLUTION NO. 2019-04-01**

**RESOLUTION TO SUPPORT EASTERN TULE GROUNDWATER  
SUSTAINABILITY AGENCY (ETGSA) BOUNDARY CORRECTIONS  
TO COINCIDE WITH PORTERVILLE IRRIGATION DISTRICT BOUNDARIES**

**WHEREAS,** the Board of Directors of the Porterville Irrigation District have met this day in regular session; and

**WHEREAS,** the Board of Directors believes it is in the best interest of the District to support boundary corrections of the Eastern Tule Groundwater Sustainability Agency (ETGSA) to coincide with Porterville Irrigation District boundaries; and

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of Porterville Irrigation District does herewith accept said corrections;

**BE IT FURTHER RESOLVED** by the Board of Directors of Porterville Irrigation District that Eric L. Borba, Director (or Sean P. Geivet, General Manager), is hereby authorized to accept said corrections on behalf of the District.

**PASSED AND ADOPTED** this 9<sup>th</sup> day of April 2019 by the following vote:

|                 |                                                 |
|-----------------|-------------------------------------------------|
| <b>AYES:</b>    | <b>Borba, Gisler, Chambers, McCowan, Witzel</b> |
| <b>NOES:</b>    | <b>None</b>                                     |
| <b>ABSTAIN:</b> | <b>None</b>                                     |
| <b>ABSENT:</b>  | <b>None</b>                                     |

**CERTIFICATE OF SECRETARY**

I do hereby certify that I am the Secretary of the Porterville Irrigation District, an irrigation district organized and existing under the laws of the State of California, and that the foregoing Resolution was duly adopted by the Board of Directors of said District at a meeting thereof duly and regularly held at the office of the Porterville Irrigation District at Porterville, California on the 9<sup>th</sup> day of April 2019, at which meeting a quorum of said Board of Directors was at all times present and acting, and that said Resolution has not been rescinded or amended in whole or any part thereof, and remains in force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and the Seal of the Porterville Irrigation District this 9<sup>th</sup> day of April 2019.

/s/ Jody A. Griswold-Bratcher  
Jody A. Griswold-Bratcher, Secretary  
Porterville Irrigation District

**Pipeline Project:** Nothing new to report.

**Future Planning:** Nothing new to report.

**GROUNDWATER BANKING POLICY – Review and consider adopting PID Groundwater Banking Policy.**

Mr. Geivet noted this item was covered in motions made earlier in the meeting.

**LETTER OF AGREEMENT – Review and consider signing a Letter of Agreement with the USBR to complete environmental work to get a Warren Act Agreement to allow groundwater pump-ins to the Friant-Kern Canal**

Manager Geivet reviewed the purpose of obtaining a Warren Act Agreement with USBR as a means to allow pump-in of groundwater (aka non-project water) into the Friant-Kern Canal (FKC) for conveyance out of the District as is anticipated. He noted that his other district obtained these agreements during the 2014 & 2015 drought years, but this district did not have the need at that time. As we move further down the road to being a banking district where some of this water may be extracted and need to be moved to other FKC districts, we will need this agreement in place.

Upon motion by Director McCowan, seconded by Director Gisler, the following Resolution was passed and adopted:

***RESOLUTION NO. 2019-04-02***

***RESOLUTION TO AUTHORIZE EXECUTION OF LETTER  
OF AGREEMENT NO. 20-WC-20-5495 BETWEEN  
U.S. BUREAU OF RECLAMATION AND PORTERVILLE IRRIGATION DISTRICT FOR  
PREPARATION OF A WARREN ACT AGREEMENT FOR THE CONVEYANCE OF NON-  
PROJECT WATER IN THE FRIANT-KERN CANAL***

***WHEREAS,*** the Board of Directors of the Porterville Irrigation District have met this day in regular session; and

***WHEREAS,*** the Board of Directors believes it is in the best interest of the District to accept the letter of agreement between United States Bureau of Reclamation and the Porterville Irrigation District to approve preparation of a Warren Act Agreement for the conveyance of non-project water in the Friant-Kern Canal – Friant Division, Central Valley Project – California; and

***WHEREAS,*** the District agrees to deposit \$10,000.00 (ten thousand dollars) which will be used to finance the costs incurred to approve the agreement;

***NOW, THEREFORE, BE IT RESOLVED*** that the Board of Directors of Porterville Irrigation District does herewith accept said agreement; and

**BE IT FURTHER RESOLVED** by the Board of Directors of Porterville Irrigation District that Sean P. Geivet, General Manager, is hereby authorized to execute said agreement on behalf of the District.

**PASSED AND ADOPTED** this 9<sup>th</sup> day of April 2019 by the following vote:

|                 |                                                        |
|-----------------|--------------------------------------------------------|
| <b>AYES:</b>    | <b><i>Borba, Gisler, Chambers, McCowan, Witzel</i></b> |
| <b>NOES:</b>    | <b><i>None</i></b>                                     |
| <b>ABSTAIN:</b> | <b><i>None</i></b>                                     |
| <b>ABSENT:</b>  | <b><i>None</i></b>                                     |

### **CERTIFICATE OF SECRETARY**

I do hereby certify that I am the Secretary of the Porterville Irrigation District, an irrigation district organized and existing under the laws of the State of California, and that the foregoing Resolution was duly adopted by the Board of Directors of said District at a meeting thereof duly and regularly held at the office of the Porterville Irrigation District at Porterville, California on the 9<sup>th</sup> day of April 2019, at which meeting a quorum of said Board of Directors was at all times present and acting, and that said Resolution has not been rescinded or amended in whole or any part thereof, and remains in force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and the Seal of the Porterville Irrigation District this 9<sup>th</sup> day of April 2019.

/s/ Jody A. Griswold-Bratcher  
Jody A. Griswold-Bratcher, Secretary  
Porterville Irrigation District

Manager Geivet noted that we do not need to adjourn into closed session.

**CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION –**  
**[Government Code Section 54956.9(d)(1)] *City of Fresno, et al. v. United***  
***States of America*, Court of Federal Claims, Case No. 16-1276L**

No action taken.

**ITEMS TO BE DISCUSSED PURSUANT TO GOVERNMENT CODE SECTION**  
**54954.2 (RELATING TO ITEMS NOT APPEARING ON THE AGENDA)**

Nothing to report.

**ADJOURNMENT** –President Borba adjourned the meeting at 10:27 a.m.

  
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Jody A. Griswold-Bratcher, Secretary